

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LIBERTY MUTUAL INSURANCE COMPANY)	
and LIBERTY MUTUAL GROUP INC.,)	
)	
Plaintiffs,)	
)	CIVIL ACTION NO.
v.)	7:17-cv-08602- PMH
)	
MICHELLE WORDEN, and)	ORDER MODIFYING
BORRELLI PARTNERS INSURANCE)	PRELIMINARY INJUNCTION
AGENCY, LLC,)	
Defendants.)	<i>Document Electronically Filed</i>
)	

~~**PROPOSED**~~ **ORDER**
MODIFYING PRELIMINARY INJUNCTION;
ENTERING STIPULATION OF DISMISSAL; AND RETAINING JURISDICTION

WHEREAS, Plaintiffs Liberty Mutual Insurance Company and Liberty Mutual Group, Inc. (individually and collectively “Liberty Mutual”) and Defendant Michelle Worden (“Worden”) have filed a Joint Motion to Modify the Preliminary Injunction, Enter the Stipulation of Dismissal and Retain Jurisdiction (“Joint Motion”);

The Joint Motion is hereby granted and IT IS ORDERED THAT:

in the above-captioned matter have agreed to modify the existing Preliminary Injunction (Docs. 21 and 43) and then dismiss all claims between them with a stipulation of dismissal.

In support of their Joint Motion to Modify Preliminary Injunction, enter stipulation of dismissal of all claims between them and retain jurisdiction, Liberty Mutual and Worden state:

1. Soley with respect to the Preliminary Injunction’s application to Worden:
 - a. The definition of Prohibited Policyholder set forth in Section B of the Preliminary Injunction shall exclude “Permitted Customers” as set forth in Section 3.1 of the Settlement Agreement (attached as Exhibit 2 to the Joint

Motion).


- b. The Preliminary Injunction shall expire on January 31, 2021 as to its application to Worden but will continue as to its application to Defendant Borrelli Partners Insurance Agency, LLC.

2. Without affecting Liberty Mutual's claims against Defendant Borrelli Partners Insurance Agency, LLC ("Borrelli"), all claims asserted by Liberty Mutual against Worden in this action are dismissed, with prejudice, without costs, without attorneys' fees and with all rights of appeal waived and subject to this Order.

3. Regardless of whether this Action is concluded and dismissed as to Liberty Mutual's claims against Defendant Borrelli Partners Insurance Agency, LLC, this Court shall retain jurisdiction of this Action with respect to Liberty Mutual and Worden until February 15, 2021 in the event that there is any dispute regarding the Preliminary Injunction and/or it needs to be enforced, and therefore any such pleadings may be filed under this civil action (Case No. 7:17-cv-08602- PMH).

SO ORDERED:

Dated: New York, New York
August 7, 2020



Philip M. Halpern
United States District Judge